

REGULAR MEETING
AGENDA

Wednesday, April 28, 2010 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

Due to necessary scheduling of ZBA members, the following items may be considered out of sequence and application requests may be heard and then deliberated one by one rather than all the deliberations occurring at the end of the meeting.

CONTINUATION OF PUBLIC HEARING

Opened on April 21, 2010 and continued to tonight, April 28, 2010 due to the lack sufficient clear plan information for the ZBA to properly evaluate the proposal. The seated ZBA members for this application are Vic Capellupo, Gary Greene, Jeff Williams, John Ashburne, and Anthony Simari. This hearing must be completed by May 26, 2010 (within 35 days after its April 21st opening). The next scheduled regular ZBA meeting is May 19, 2010.

CALENDAR NO. 21-2010

The application of Gregory & Lois Willis filed on March 24, 2010 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a second story addition; Section 406: 23 \pm in lieu of 40.0 feet minimum required front yard setback; and 38 \pm in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of East Trail. The property is situated on the east side of Arrowhead Way at the southeast corner formed by the intersection of East Trail and Arrowhead Way and is shown on Assessor's Map #65 as Lot #59, being 11 Arrowhead Way and located in an R-1 (residential) Zone.

PUBLIC HEARINGS

CALENDAR NO. 20-2010

The application of Lawrence J. Loustamao on behalf of Louis A. Benedetto filed on March 24, 2010 for an interpretation under Section 337 and variances of Sections 332, 334, and 406 of the Darien Zoning Regulations, to allow the construction of two residences and a carport/multi-purpose structure; Section 337: a determination as to the proper application of the Zoning Regulation requirements; Section 332: 0.0 in lieu of 50.0 feet minimum required lot frontage on a street; Section 334: construction on a portion of a lot with 97.0 in lieu of 100.0 feet minimum required lot depth; and Section 406: 21.6 in lieu of 25.0 feet minimum required rear yard setback relative to the south property line; and 11.1 in lieu of 25.0 feet minimum required rear yard setback relative to the west property line for the carport/multi-purpose structure. The property is situated at the end of a right of way on the north side of Raymond Street approximately 380 feet east of the intersection of Cliff Avenue and Raymond Street and is also situated at the end of Carolyn Court approximately 300 feet west of the intersection of Carolyn Court and Rowayton Avenue in Norwalk and is shown on Assessor's Map #36 as Lots #107 and 108, being 000 Raymond Street and located in an R-1/5 (residential) Zone.

CALENDAR NO. 24 -2010

The application of Mark S. Lebow, PLS c/o William W. Seymour & Assoc., PC on behalf of Stephen & Marjorie Roney filed on March 24, 2010 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a second story false dormer, a one story rear entry vestibule addition, and a one story covered front portico addition; Section 406: 15.0 in lieu of 33.8 feet minimum required south side yard setback for the false dormer; 31.3 in lieu of 33.8 feet minimum required south side yard setback for the vestibule; and 32.0 in lieu of 38.6 feet minimum required north side yard setback for the portico. The property is situated on the west side of Birch Road approximately 600 feet south of the intersection of Sylvan Road and Birch Road and is shown on Assessor's Map #11 as Lot #10, being 45 Birch Road and located in an R-1 (residential) Zone.

CALENDAR NO. 25-2010

POSTPONED TO MAY 19

The application of Mark S. Lebow, PLS and William W. Seymour & Assoc., PC on behalf of and David & Kelly Wheeler filed on March 24, 2010 for an interpretation of Section 385 and variances of Sections 334 and 406 of the Darien

Zoning Regulations; to allow the construction of a replacement two story dwelling and the installation of mechanical equipment; Section 385: a determination that the subject lot is a legal nonconforming building lot with 22,292 in lieu of 43,560 square feet minimum required lot size; Section 334: construction on a building lot with 110.5 in lieu of 150.0 feet minimum required lot width; and Section 406: 37.5 in lieu of 40.0 feet minimum required east front yard setback, 46.0 in lieu of 65.0 feet minimum required east front yard setback as measured from the centerline of Davis Lane, 62.0 in lieu of 65.0 feet minimum required north front yard setback as measured from the centerline of Davis Lane, and 25.0 in lieu of 40.0 feet minimum required west rear yard setback for the dwelling; and 25.9 in lieu of 40.0 feet minimum required west rear yard setback for the equipment. The property is situated on the south side of Davis Lane approximately 570 feet west of the intersection of Five Mile River Road and Davis Lane and is shown on Assessor's Map #67 as Lot #29, being 8 Davis Lane and located in an R-1 (residential) Zone.

CALENDAR NO. 26-2010

The application of Jonathan & Nancy Peter on behalf of Chris & Alyse McKechnie filed on March 24, 2010 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of second story and covered side entry additions; Section 406: 38.2 in lieu of 40.0 feet minimum required front yard setback, and 22.8 in lieu of 40.0 feet minimum required rear yard setback for the second story; and 21.5 in lieu of 40.0 feet minimum required rear yard setback for the covered entry. The property is situated on the east side of Midbrook Lane approximately 300 feet north of the intersection of Leroy Avenue and Midbrook Lane and is shown on Assessor's Map #6 as Lot #11, being 8 Midbrook Lane and located in an R-1 (residential) Zone.

CALENDAR NO. 27-2010

The application of Amy S. Zabetakis, Esq. and Rucci, Burnham, Carta & Carello LLP on behalf of Marjolyn Camilleri filed on March 24, 2010 for a variance of Section 406 of the Darien Zoning Regulations, to allow the installation of a generator; Section 406: 11.0 in lieu of 15.0 feet minimum required side yard setback. The property is situated on the west side of Five Mile River Road at the southwest corner formed by the intersection of Five Mile River Road and Davis Lane and is shown on Assessor's Map #67 as Lot #24, being 112 Five Mile River Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 28-2010

POSTPONED TO MAY 19

The application of Ivo J. Granata and Granata Sign Co on behalf of Gina Zangrillo, Stephen F. Zangrillo, and Darien Sport Shop filed on March 24, 2010 for variances of Section 923 of the Darien Zoning Regulations, to allow the installation of four replacement wall signs, two of which with internal “halo” illumination; Section 923: 27 in lieu of 10 inches maximum allowable letter height; internal “halo” illumination where none is permitted; and 4 in lieu of 2 maximum allowable wall signs. The property is situated on the northwest side of Boston Post Road at the north corner formed by the intersection of Leroy Avenue and Boston Post Road and is shown on Assessor’s Map #73 as Lots #1,2,3, and 4, being 1127 Boston Post Road and located in the CBD (commercial) Zone.

CALENDAR NO. 29-2010

POSTPONED TO MAY 19

The application of Ivo J. Granata and Granata Sign Co on behalf of Joseph Sandolo, Dinos Ristorante Pizzeria and Harper’s Restaurant-Bar filed on March 24, 2010 for variances of Sections 926 and 923 of the Darien Zoning Regulations, to allow the installation of a wall sign and a hanging sign; Section 923: 18 in lieu of 10 inches maximum allowable letter height for the wall sign; 4.0 in lieu of 30.0 feet minimum front yard setback for the hanging sign consistent with an allowable pole sign location; and Section 926: installation of a hanging sign where none is permitted. The property is situated on the northwest side of Boston Post Road at the northeast corner formed by the intersection of Boston Post Road and Birch Road and is shown on Assessor’s Map #13 as Lots #1 and 2, being 319 Boston Post Road and located in an SB-E (commercial) Zone.

OTHER BUSINESS

This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their regulatory responsibilities for the overall benefit of the community. Any expression from the audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.

1. Discussion, deliberation and possible decisions for Public Hearing request items listed above. 4 affirmative votes out of the 5 seated ZBA members are required to approve a proposal.

2. Approval of Minutes of decisions made on March 11, 2010. ZBA members attending this meeting were Vic Capellupo, Chuck Deluca, Jeff Williams, Ruth Anne Ramsey, and John Ashburne.
3. General discussion of Application Materials, hearing guidelines, hardship criteria, decision practices/ guidelines, project fit relative to neighbor properties, supervision/inspection of construction projects, and/or requested changes.
4. Review of April 15, 2009 Joint Meeting discussions with the Architectural Review Board and possible recommendations for sign regulation changes or procedural adjustments.
5. Any other business (a minimum 2/3, 67%, i.e. 3/4, 4/5, or 4/6, favorable vote of members present and voting is required to add an item to the agenda).